GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

HIGHER EDUCATION – Writ Appeal No.90/2014 – Sri S. Chand Basha, Junior Assistant (Retd.), Osmania College, Kurnool – Retrospective Regularization – Orders – Issued.

HIGHER EDUCATION [CE] DEPARTMENT

G.O.RT.No. 23 Dated: 16-02-2017

Read the following:

1. G.O.Rt.No.768, HE[CE] dEpt., dt.14.10.2014,
2. From the CCE Lr.No.316/Admn.III.1/11, dt.28.12.2016,
3. Orders of the Hon'ble High Court in WP No.12734/11, dt.07.03.2012,
4. Orders of the Hon'ble High Court in Writ Appeal No.90/2014, dt.03.08.2010.

.. .. ..

In the reference 2nd read above, the Special Commissioner of Collegiate Education has reported that Sri S. Chand basha has been appointed as Lower Division Clerk on temporary basis on 01.01.1984 against an aided post and his services were regularized w.e.f 14.10.2004. The Hon'ble High Court in its orders, dt.07.03.2012 in W.P. No.12734 of 2011 has directed to

> **"issue orders regularizing his service with retrospective effect from 01.01.1989 in terms of G.O.Ms No.212, 22.04.1994, within a period of six weeks from the date of receipt of a copy of this order".**

2. Against the above orders, a Writ Appeal bearing No.90/2014 has been filed before the Hon'ble High Court by the Department. The Hon'ble High Court while disposing the appeal, in its orders dt.03.08.2016 have directed as follows:

> **"..... the benefit of the retrospective regularization may be confined only to computation of the pensionary benefits subject to the said condition, the order of the learned single judge is accordingly stands modified only to the above extent".**

3. The Special Commissioner of Collegiate Education has reported that the individual is seeking retrospective regularization of his service on completion of five years of his temporary appointment w.e.f. 01.09.1989 or at least from the cut of date in G.O.Ms No.212, Dt:25.11.1993 only for computation of the pensionary benefits and requested to regularize the services of Sri.S.Chand Basha as Junior Assistant with retrospective effect from 25.11.1993 for the sake of pensionary benefits.

4. In view of the Hon'ble High Court orders issued vide reference 4th read above, the Government hereby order regularization of services of Sri.S.Chand Basha as Junior Assistant with effect from 25.11.1993 and this retrospective regularization is confined only for computation of pensionary benefits [without salary arrears].

5. The Special Commissioner of Collegiate Education shall take further action accordingly.

Contd…

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Commissioner of Collegiate Education,
Andhra Pradesh, Vijayawada,
Sri.S.Chand Basha, Jr.Asst.[Retd.] through the Special Commissioner of
Collegiate Education, Andhra Pradesh, Vijayawada,
Copy to
The Government Pleader for Higher Education,
A.P.High Court, Hyderabad.
SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER